

HOUSE JOINT RESOLUTION NO. 33

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE WOLF

Introduced: 1/21/04

Referred: Labor and Commerce, Health, Education and Social Services

A RESOLUTION

1 **Relating to requesting that the United States Food and Drug Administration or the**
2 **United States Congress remove OxyContin from the market.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** OxyContin is a controlled substance that contains oxycodone,
5 specifically oxycodone HCL controlled release; and

6 **WHEREAS** oxycodone is an opioid agonist with an addiction potential similar to that
7 of morphine; and

8 **WHEREAS** oxycodone is regulated under Alaska law (AS 11.71.140(b)(1)(N)) as a
9 Schedule IA controlled substance having "the highest degree of danger or probable danger to
10 a person or the public"; and

11 **WHEREAS** oxycodone is regulated under federal law as a Schedule II controlled
12 substance, which provides the highest level of control possible for approved drug products;
13 and

14 **WHEREAS** oxycodone, like morphine, has a high potential for abuse; it is supplied in
15 a controlled-release dosage form and is intended to provide up to 12 hours of relief from
16 moderate to severe pain; and

1 **WHEREAS** the oxycodone tablet must be taken whole and only by mouth; and

2 **WHEREAS**, when the oxycodone tablet is crushed and its contents are injected
3 intravenously or snorted into the nostrils, the controlled release mechanism is defeated, and a
4 potentially lethal dose of oxycodone is released immediately; and

5 **WHEREAS**, since 2001, there have been numerous reports of OxyContin diversion
6 from legitimate use and abuse across the United States, including Alaska; and

7 **WHEREAS** some of these reports of diversion and abuse have resulted in serious
8 consequences, including death; and

9 **WHEREAS** the United States Food and Drug Administration has reacted to these
10 reports by increasing the warnings that are supplied with the drug and providing information
11 to physicians concerning the proper use of OxyContin; and

12 **WHEREAS** the diversion and abuse of OxyContin has not decreased, and deaths
13 continue to result from OxyContin; and

14 **WHEREAS** the Alaska State Legislature believes that removal of oxycodone, and
15 thereby OxyContin, from the market is in the public interest, regardless of whether that
16 removal is accomplished by the United States Food and Drug Administration or the United
17 States Congress;

18 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests that the
19 United States Food and Drug Administration remove oxycodone, and thereby OxyContin,
20 from the market; and be it

21 **FURTHER RESOLVED** that the Alaska State Legislature respectfully requests that
22 the United States Congress remove oxycodone, and thereby OxyContin, from the market if
23 the United States Food and Drug Administration does not.

24 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
25 of the United States; the Honorable Mark B. McClellan, Commissioner of Food and Drugs,
26 U.S. Food and Drug Administration, U.S. Department of Health and Human Services; the
27 Honorable Ted Stevens, President Pro Tempore of the U.S. Senate and member of the Alaska
28 delegation in Congress; the Honorable J. Dennis Hastert, Speaker of the U.S. House of
29 Representatives; the Honorable Bill Frist, Majority Leader of the U.S. Senate; the Honorable
30 Tom DeLay, Majority Leader of the U.S. House of Representatives; the Honorable Thomas
31 Daschle, Minority Leader of the U.S. Senate; the Honorable Nancy Pelosi, Minority Leader of

1 the U.S. House of Representatives; the governors of each of the other 49 states; and to the
2 Honorable Lisa Murkowski, U.S. Senator, and the Honorable Don Young, U.S.
3 Representative, members of the Alaska delegation in Congress.